

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

ROBERT KESSLER,

Plaintiff,

-vs-

DIRK M. MAYBERRY INC., et al.,

Defendants.

Cause No. 2:21-cv-0755-TLF

JOINT STATUS REPORT AND  
DISCOVERY PLAN UNDER  
FED.R.CIV.P. 26(f)

Pursuant to the Court's Order of March 23, 2021 (DE 9), the discovery conference contemplated by Rule 26(f)(1)-(2), F.R.Civ.P., has been conducted in the above-entitled matter. M. William Judnich participated on behalf of the Plaintiff and Mark Perez participated on behalf of the joint Defendants via telephone. The parties have discussed the nature and basis of their claims and defenses, the possibilities for a prompt settlement or resolution of this case and the development of a proposed discovery plan. After conferring about these matters, counsel for the respective parties agree to the following proposed discovery plan in conformance with Rule 26(f)(3)(A-F):

1           1.     This case involves a discrimination action brought under Title III of the  
2 Americans with Disabilities Act pursuant to 42 U.S.C. § 12101. The complexity of  
3 the case centers around expert ADA inspections of the premises in question and  
4 how/if the premises complies with all applicable architectural standards for  
5 accessible design as required by the ADA. The Plaintiff has retained an expert to  
6 inspect the Premises.  
7

9           2.     A date of February 4, 2022 has been agreed to for joining any parties.

10           3.     Yes. Both parties agree to this Magistrate to conduct all proceedings in  
11 this case.  
12

13           4.     A notice of related cases has been filed by Plaintiff.

14           5.     All Initial disclosures under Rule 26(a)(1)(A)(i)-(iv), F.R.Civ.P., shall  
15 be served (not filed) by the parties on or before March 4, 2022. The parties do not  
16 anticipate other changes to the disclosures under Rule 26(a).  
17

18           6.     No changes  
19

20           7.     No changes to phasing of discovery.

21           8.     No agreements needed.  
22

23           9.     Does not involve ESI.

24           10.    No unique or extensive claims of protection.

25           11.    No procedures necessary.  
26

27           12.    No changes.

